



Attorney Docket 116.063 (formerly POT-010US3)

**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Irving M. Fishman  
Type or Print Name

*Irving M. Fishman*  
Signature

April 19, 2006  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE US PATENT 6,900,327

APPLICATION OF

Prior Group Art Unit: 1625

Benneker

Prior Examiner: Chang

SERIAL NO: 09/855,710

FILED: May 16, 2001

FOR: 4-PHENYLPIPERIDINE COMPOUNDS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Submission of  
Change of Power of Attorney  
And  
Correspondence Address  
With  
Statement Under 37 CFR 3.73(b)

Sir:

Enclosed herewith is a Power of Attorney and Correspondence Address to the undersigned, executed by Michael Satow of JDS Neuro, LLC, the current owner of the above-identified patent.

Please direct all future correspondence in accordance with the enclosed Power to

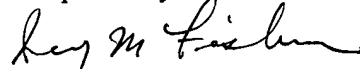
Irving M. Fishman

Cohen, Tauber, Spievack, and Wagner

420 Lexington Avenue  
Suite 2400  
New York, NY 10170

all telephone calls to Irving M. Fishman at 212-586-5800 and faxes to 212-586-5095.

Respectfully submitted



Irving M. Fishman, Reg. No. 30,258

Attorney for Assignee

Cohen Tauber Spievack and Wagner  
420 Lexington Avenue  
Suite 2400  
New York, NY 10170  
Tel.: 212-586-5800  
Fax: 212-586-5095  
e-mail: [ifishman@ctswlaw.com](mailto:ifishman@ctswlaw.com)

Date: April 19, 2006

Doc Code:

PTO/SB/96 (12-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: JDS Neuro, LLC

Application No./Patent No./Control No.: US 6,900,321 Filed/Issue Date: May 31, 2005

Entitled: 4-Phenylpiperidine Compounds

JDS Neuro, LLC

, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at \_\_\_\_\_, Frame \_\_\_\_\_, or a true copy of the original is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

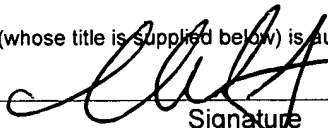
1. From: the Inventors To: Synthon B.V.  
The document was recorded in the United States Patent and Trademark Office at  
Reel 008866, Frame 0085, or for which a copy thereof is attached.
2. From: Synthon B.V. To: JDS Neuro, LLC  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
Signature

Michael Satow  
Printed or Typed Name

CEO  
Title

4/13/06  
Date

212-682-4420  
Telephone number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Doc Code:

PTO/SB/81 (01-06)

Approved for use through 12/31/2008. OMB 0651-0035

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	09/855,710 (now US 6,900,327)
Filing Date	May 16, 2001
First Named Inventor	benneker et al
Title	4-PHENYLPYPERIDINE COMPOUNDS
Art Unit	1625
Examiner Name	Chang
Attorney Docket Number	116.063 (formerly POT-010US3)

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☐ Practitioners associated with the Customer Number:

OR

☒ Practitioner(s) named below:

Name	Registration Number
Irving M. Fishman	30,258

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number:

OR

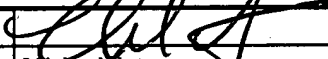
☐ The address associated with Customer Number:

OR

<input checked="" type="checkbox"/> Firm or Individual Name	Irving M. Fishman				
Address	Cohen Tauber Spievack & Wagner 420 Lexington Avenue, Suite 2400				
City	New York	State	NY	Zip	10170
Country	US				
Telephone	212-586-5800	Email	ifishman@ctswlaw.com		

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).**SIGNATURE of Applicant or Assignee of Record**

Signature		Date	7/13/06
Name	Michael Satow	Telephone	212-682-4420
Title and Company	CEO JDS Neuro, LLC		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## **PATENT ASSIGNMENT AGREEMENT**

THIS AGREEMENT is made the 1st day of November, 2005 by and between Synthon Pharmaceuticals, Inc., a North Carolina corporation, Synthon BCT Technologies, LLC, a North Carolina limited liability company, Synthon BV, a corporation of The Netherlands (collectively "Assignors"), and JDS Neuro, LLC, a Delaware limited liability company ("Assignee").

WHEREAS, Synthon Pharmaceuticals, Inc. and JDS Pharmaceuticals, LLC, a Delaware limited liability company and sole member of Assignee, are parties to an Asset Purchase Agreement (the "Purchase Agreement") dated October 17, 2005, pursuant to which Synthon Pharmaceuticals, Inc. agreed to assign and cause its Affiliates to Assignee their right, title and interest in and to the patents and patent applications described in Schedule A attached hereto;

WHEREAS, Assignors and Assignee wish to document by formal assignment to Assignee of Assignors' right, title and interest in and to the patents and patent applications.

Assignors and Assignee therefore agree as follows.

1. "Assigned Patents" shall mean each claim of each patent of Assignors or any Affiliate (as defined in the Purchase Agreement) listed on Schedule A and each claim of each patent issuing from or on each patent application listed on Schedule A.

2. For good and valuable consideration, receipt of which is hereby acknowledged, Assignors hereby assign to Assignee all of the right, title and interest in (i) the inventions disclosed in the Assigned Patents, (ii) the Assigned Patents, (iii) any U.S. patent which may issue from the application listed on Schedule A attached hereto, and (iv) all divisions, continuations, reissues, re-examinations and extensions of the Assigned Patents. Assignors further acknowledge that included in this assignment is the right to bring suit to enforce any of the Assigned Patents against activities which occurred before the date of this Agreement. Assignors hereby authorize and request the Director of the U.S. Patent and Trademark Office to issue any and all such U.S. patents which may issue from the applications listed on Schedule A of the Purchase Agreement to Assignee, which shall hold the entire right, title and interest in and to such patent or patents to the full end of the term for which said patent or patents may be granted, as fully and entirely as the same would have been held by Assignors had this assignment not been made.

3. Assignors agree to execute upon the request of Assignee any assignment paper or other document reasonably necessary to evidence the assignment of the rights hereunder to Assignee, and agree to cooperate with Assignee in all other matters relating to the assignment of these rights to Assignee.

4. This Agreement shall be governed by, and construed in accordance with the laws of the State of Delaware without giving effect to its principles of conflicts of law.

5. This Agreement, together with the Asset Purchase Agreement, constitutes the sole understanding of the parties with respect to the transactions provided herein and supersedes and

merges herein any previous agreements and understandings, oral and written, between the parties hereto with respect to the subject matter hereof.

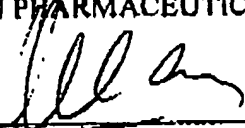
6. This Agreement may be executed in counterparts, each of which will be considered an original and all of which together will be considered one and the same instrument. Any counterpart may be signed and transmitted by facsimile with the same force and effect as if such counterpart was an ink-signed original.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, this Agreement was executed by Assignors and Assignee on November 1, 2005.

SYNTHON PHARMACEUTICALS, INC.

By:

  
Name: Peter van Straelen  
Title: President

JDS NEURO, LLC.

By:

\_\_\_\_\_  
Name:  
Title:

SYNTHON BCT TECHNOLOGIES, LLC

By:

\_\_\_\_\_  
Name:  
Title:

SYNTHON BV

By:

\_\_\_\_\_  
Name:  
Title:

IN WITNESS WHEREOF, this Agreement was executed by Assignors and Assignee on November 1, 2005.

SYNTHON PHARMACEUTICALS, INC.

By: \_\_\_\_\_

Name:

Title:

JDS NEURO, LLC.

By:  \_\_\_\_\_

Name: Michael Satow

Title: C.O.O.

SYNTHON BCT TECHNOLOGIES, LLC

By: \_\_\_\_\_

Name:

Title:

SYNTHON BV

By: \_\_\_\_\_

Name:

Title:



IN WITNESS WHEREOF, this Agreement was executed by Assignors and Assignee on November 1, 2005.

SYNTHON PHARMACEUTICALS, INC.

JDS NEURO, LLC.

By: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

SYNTHON BCT TECHNOLOGIES, LLC

By: \_\_\_\_\_

Name: J.M. Remmers  
Title: President

SYNTHON BV

By: \_\_\_\_\_

Name: J.M. Remmers  
Title: President

**Schedule A****Assigned Patents**

	Patent No.	Application No.	Priority Application
1	US 5,874,447	US 08/872,023	n/a
1A	US 6,900,327	US 09/855,710	US 08/872,023
1B		US 09/200,743	US 08/872,023
1C	CA 2293247	CA 2293247	PCT/NL97/00328
1D		CA 2455954	PCT/NL97/00328
2	US 6,645,523	US 09/939,561	US 60/228110 US 60/234936
2A		US 10/678,082	US 60/228110 US 60/234936
2B	CA 2418038	CA 2418038	US 60/228110 US 60/234936



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARCH 30, 2006

PTAS



\*103146066A\*

IRVING M. FISHMAN  
SUITE 1422, NORTH TOWER  
89 HEADQUARTERS PLAZA  
MORRISTOWN, NJ 07960

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 12/27/2005

REEL/FRAME: 017388/0301  
NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).  
DOCKET NUMBER: 116.038

ASSIGNOR:  
SYNTHON BV

DOC DATE: 11/01/2005

ASSIGNOR:  
SYNTHON BCT TECHNOLOGIES, LLC

DOC DATE: 11/01/2005

ASSIGNOR:  
SYNTHON PHARMACEUTICALS

DOC DATE: 11/01/2005

ASSIGNEE:  
JDS NEURO, LLC  
122 EAST 42ND STREET, 41ST FLOOR  
NEW YORK, NEW YORK 10168

SERIAL NUMBER: 10678082

FILING DATE: 10/06/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: PAROXETINE COMPOSITIONS AND PROCESSES FOR MAKING THE SAME

017388/0301 PAGE 2

SERIAL NUMBER: 09200743  
PATENT NUMBER:  
TITLE: 4-PHENYLPYPERIDINE COMPOUNDS

FILING DATE: 11/30/1998  
ISSUE DATE:

SERIAL NUMBER: 09939561  
PATENT NUMBER: 6645523  
TITLE: PAROXETINE COMPOSITIONS AND PROCESSES FOR MAKING THE SAME

FILING DATE: 08/28/2001  
ISSUE DATE: 11/11/2003

SERIAL NUMBER: 09855710  
PATENT NUMBER: 6900327  
TITLE: 4-PHENYLPYPERIDINE COMPOUNDS

FILING DATE: 05/16/2001  
ISSUE DATE: 05/31/2005

SERIAL NUMBER: 08872023  
PATENT NUMBER: 5874447  
TITLE: 4-PHENYLPYPERIDINE COMPOUNDS FOR TREATING DEPRESSION

FILING DATE: 06/10/1997  
ISSUE DATE: 02/23/1999

DOROTHY RILEY, PARALEGAL  
ASSIGNMENT SERVICES BRANCH  
PUBLIC RECORDS DIVISION

RECO

12-29-2005

Pat No.: 116,038

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office



103146066

Tab settings → → → ▼ ▼

To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Synthon BV  
Synthon BCT Technologies, LLC  
Synthon Pharmaceuticals

2. Name and address of receiving party(ies):

Name: JDS Neuro, LLC

Internal Address:

Street Address: 122 East 42nd Street

41st Floor

City: New York

State: NY

ZIP: 10168

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other

Execution Date: November 1, 2005

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

B. Patent No.(s)

US 10/678,082 filed 10/6/2003  
US 09/200,743 filed 11/30/1998

US 6,645,523 US 6,900,327 US 5,874,447

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Irving M. Fishman

Internal Address: Suite 1422, North Tower

Street Address: 89 Headquarters Plaza

01 FC:0021

200.00 DP

City: Morristown

State: NJ

ZIP: 07960

6. Total number of applications and patents involved:

5

7. Total fee (37 CFR 3.41):.....\$ 200.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Irving M. Fishman

Signature

Date

Name of Person Signing

Total number of pages including cover sheet, attachments, and document:

7

Mail documents to be recorded with required cover sheet information to:  
Mail Stop Assignment Recordation Services

Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450